# Western Carol

It is even wise to abstain from laws, which however wise and good in themselves, have the semblance of inequality which find no response in the heart of the citiz
The wisdom of legislation is especially seen in grafting laws on conscience.

BURTON CRAIGE.] SALISBURY, ROWAN COUNTY, N. C....MONDAY DECEMBER 10, 1832.



## TERMS

*The WESTERN CAROLINIAN is published once a week at two dollars per annum, if paid within three months; or two dollars and fifty cents, if paid at any other time within the year. No Paper will be discontinued until all arrearages are paid, unless at the Editor's discretion.—No subscription will be received for a less time than one year.*

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*All letters addressed to the Editor must be post paid or they will not be attended to.*

☞ These terms will be strictly adhered to.


## GENERAL ASSEMBLY.

### SENATE.

*Thursday, Nov. 22. 1832.*

Mr. Martin presented the following preamble and resolutions, which were laid upon the table, on the motion of Mr. Montgomery of Orange, and ordered to be printed:

WHEREAS, questions of deep and vital importance to the future welfare of our common country, are under consideration in some of the Southern States; it is therefore believed to be the duty of this General Assembly, as the Representatives of the free people of North Carolina, respectfully to make known our sentiments, and, as we believe, the sentiments of our constituents, on the present interesting crisis of our internal affairs.

1. *Therefore Resolved*, That this General Assembly continues to cherish a sacred attachment to the Constitution of the United States, and consider the advantages of the Federal Union, in sustaining our civil institutions, and perpetuating our liberties, to be incalculable: That we deprecate the doctrine of Nullification, as founded on principles subversive of the Constitution, and as having a direct tendency, if practically enforced, to sever the bonds which now unite us together, as one great and powerful Republic.

2. *Resolved further*, That we still rely on the wisdom and integrity of the constituted authorities of the General Government, and confidently look to their patriotism for ultimate redress of all our real grievances; and as the States are prohibited by the Constitution from entering into alliances, compacts, or agreements among themselves, and being aware of the excitement and sectional feeling which already pervades the country to a fearful extent, this General Assembly, under existing circumstances, deprecate the policy of a Southern Convention.

3. *Resolved*, That the Governor be, and he is hereby requested to forward a copy of these resolutions to the President of the United States, and to the executive of each of the States of this Confederacy.

*Friday, Nov. 23.*

On motion of Mr. Seawell, the Senate took up the Message from the House of Commons, proposing to refer to joint select committees, so much of the Governor's message, as relates to the contract with B. Hughes for restoring the Statue of Washington.

*Saturday, Nov. 24.*

Mr. Hoke presented the petition of sundry citizens of the county of Lincoln, praying the passage of an act to divide the three western Judicial Circuits into four, and to appoint an additional Circuit Judge to aid in the holding of said Courts; which was read and referred to a select committee consisting of one member from each Judicial district.

Mr. Leake presented the following preamble and resolutions, viz.

Whereas questions of deep and increasing importance now agitate some of our sister States, growing out of the exercise of powers which are supposed to belong to the General Government on the one hand, and of the rights which are said to appertain to the States on the other. And whereas an expression of opinion on the part of this Legislature seems to be called for, that silence may not be construed into a virtual acquiescence of the powers claimed for the General Government; nor yet as being indifferent to the consequences which necessarily flow from the enforcement of Nullification:

1. *Be it therefore resolved*, as the opinion of this Legislature, That while we disapprove of the doctrine of Nullification as unconstitutional, violent, and of a revolutionary tendency, we are nevertheless feelingly alive to the cause which has given rise to it.

2. *Resolved further*, That the powers which have been ceded by the States to the General Government, were delegated in trust for the accomplishment of certain limited and defined objects; and that any exercise of those powers to foster manufactures directly, is viewed by this Legislature as a violation of the spirit of the Federal compact,

3. *Resolved further*, That while we deprecate the doctrine of Nullification, as being wild and visionary in theory, dangerous and violent in practice, we at the same time cannot but consider a Tariff of duties looking to protection, as does the present, as an unwarrantable assumption of power.

4. *Resolved further*, That we still rely on the wisdom and integrity of the constituted authorities of the General Government, and confidently look to their patriotism and love of union for ultimate redress of all our grievances.

5. *Resolved further*, That we recognize in the Tariff of the 7th of June, 1832, a modification of duties, both in the "gross and in the detail," and behold it as an entering wedge, which shall ultimately fritter down the duties to a revenue point.

6. *Resolved*, That the Governor be, and he is hereby requested to forward a copy of these Resolutions to the President of the United States, and to the Executive of each of the States of this Confederacy.

Which, on motion of Mr. Skinner, were ordered to be laid on the table and printed.

Mr. Carson presented a bill to provide for the registration of grants for lands in this State, when the original has been lost, or is beyond the reach of the party interested. Read the first time, passed, and referred.

On motion of Mr. Martin, the Senate proceeded to take up and consider the several resolutions disapproving the doctrines of Nullification, and the policy of a Southern Convention, introduced by him on the 22d instant, as also those presented by Mr. Leake on this day; &c, on motion of Mr. Martin, it was ordered that the said resolutions be committed to a committee of the whole House, and made the order of the day for Friday next.

Mr. Dobson presented "a bill vesting the right of electing Clerks of the Superior and County Courts in the several counties in the State, in the free white men thereof;" which was read the first time and passed, and on motion of Mr. Montgomery, of Orange, it was ordered to be printed.

*Monday, Nov. 26.*

A motion was made by Mr. Allen to reconsider the vote taken on Saturday, on the reference of the petition presented by Mr. Hoke, from sundry citizens of Lincoln county, proposing an alteration in the three western Judicial Circuits; and on the question, will the Senate reconsider the vote? it was determined in the affirmative.—Whereupon, on motion of Mr. Allen, it was ordered that the said petition be referred to a select committee, consisting of one member from each Congressional District, viz. Messrs, Hoke, Seawell, Wilson, Matthews, Kerr, Boddie, Stedman, Montgomery of Hertford, Wellborn, Gavin, Toomer, Moye of Greene and Carson, were appointed the committee on the part of the Senate.

A motion was made by Mr. Spaight to reconsider the vote, taken on Saturday, on the reference of the resolutions, introduced by Mr. Martin, disapproving the doctrine of Nullification, and the policy of a Southern Convention, and the resolutions introduced by Mr. Leake, on the subject of Nullification, and the Tariff; and, on the question, will the Senate reconsider the vote? it was decided in the affirmative. Whereupon the said resolutions were read the first time and passed; and, on motion of Mr. Martin, ordered to be referred to a committee of the whole House, and made the order of the day for Friday the 7th proximo.

*Tuesday, Nov. 27.*

Mr. Allen presented a bill, entitled "a bill to erect a new county out of a portion of the counties of Burke & Buncombe, by the name of Yancey. Read the first time and passed.

*Wednesday, Nov. 28.*

Mr. Martin presented a bill to establish the Bank of North Carolina.

Mr. Boddie, a bill to amend the several laws of the State relative to the duties of Clerks and sheriffs.

Mr. Hogan, a bill to regulate the county courts of Davidson.

Mr. Seawell, a bill to incorporate the Experimental Rail Road Company of Raleigh.

Mr. Allen, a bill concerning the Supreme Court. (Provides for the appointment of a 4th Judge.)

These bills passed their first reading.

### HOUSE OF COMMONS.

*Thursday, Nov. 22.*

On motion of Mr. Bonner, it was resolved that the committee on the Judiciary, be instructed to inquire whether any, and if any, what provisions are necessary to be made in our law for the relief of insolvents so as to enable certain persons, when insolvent, to be discharged from imprisonment, namely: such persons as are imprisoned for a fine for non attendance at musters and reviews, also persons imprisoned, who have been convicted of an offence, which disqualifies them from being heard as a witness, in courts, and that they report by bill or otherwise.

Mr. Pearson submitted the following resolution, which was read the first, second and third times, passed and ordered to be engrossed, and sent to the Senate for concurrence:

*Resolved*, unanimously, by the Senate and House of Commons of the General Assembly of the State of North Carolina, that it is with feelings of profound regret they have received the intelligence, of the death of CHARLES CARROLL of Carrollton, the last of that band of patriots and sages, who proclaimed the Independence of the United States of America, and pledged for its support, "their lives, their fortunes and their sacred honor;" and that this General Assembly, with the people whom they represent, cherish a deep veneration for the virtue, the services, and the character of the deceased; and sympathise with his family, his friends, and his country, in the bereavement which all have sustained.

*Friday Nov. 23,*

On motion of Mr. Peebles, it was resolved, that the committee on the Judiciary be instructed to inquire into the propriety of so amending the act of 1828, entitled an act to amend the law relative to the collection of debts from the estates of deceased persons, so as to provide, that the real estate shall be charged, with the costs incurred in all suits against executors or administrators, when the plea of *fully administered* is found in favor of the defendants.

*Saturday, Nov. 24.*

A message from the Senate proposing to raise a joint select committee, to be composed on the part of each House, of one member from each Congressional district in this State, to inquire what alterations, if any, are necessary to be made in said districts, under the last census and apportionment of Representatives. The proposition was concurred in, and Messrs. Skinner, Potts, C. Wooten, Gary, M'Millan, Bragg, Eccles, Sumner, Graves, Pearson, Cansler, Dews and Emmitt were appointed to compose said committee on the part of this House.

Mr. Bonner presented a bill fixing a uniform mode of assessment of real estate, with the improvements thereon, which was read the first time and passed, and, on Mr. Bragg's motion, it was referred to the committee on Finance, and ordered to be printed. This bill provides, that the County Courts of the several counties of this State, shall at the first court after the first day of May next, or, if they should fail, at any succeeding Court thereof, a majority of the justices being present, appoint one or more persons as assessors, whose duty it shall be to assess all the real estate, with the improvements thereon, in their respective counties; said assessors to make out an alphabetical list of said assessment, with the name of the owner, one copy from each captain's district. The Clerk of the County Court to keep said assessments filed, and to furnish each Justice of the Peace appointed to receive the lists of taxables with a copy. The said assessment to stand five years, unless a majority of the justices shall order another for a less time.

*Monday Nov. 26.*

Mr. Bonner presented the following resolution which was rejected:

*Resolved*, That the committee on the Judiciary, be instructed to inquire whether the criminal laws of the State ought not to be so amended, as to abolish the punishment of *Branding*, and that they report by bill or otherwise.

Mr. O'Brien presented a bill to vest the right of electing the clerks of the County and Superior Courts of the several counties, within this State, in the free white men thereof; and Mr. Saintclair, a bill to exempt from execution a portion of the land of the citizens of North Carolina. Read the first time passed and order'd to be printed.

On motion of Mr. Sawyer, it was

*Resolved*. That the Governor be requested to communicate to the information of this House, the number of Indians now resident in this State, together with the extent of territory they now occupy, the character of their laws and form of government, their habits and pursuits, the nature and design of the aggressions committed upon that region of country by some of the citizens of Georgia and other States; and whether, by the laws of the State, any authority is vested in the Executive to repel such aggressions, and protect said Indians and territory.

*Tuesday, Nov. 27.*

On motion of Mr. Saintclair, it was resolved that the committee on the Judiciary be instructed to inquire into the propriety of so amending the 10th section of an act, passed in the year 1741, entitled "an act for the better observation and keeping of the Lord's day, commonly called Sunday, and for the more effectual suppression of vice and immorality," as to provide that the bonds therein required to be given, shall in future be made payable to the Chairman of the County Court for the time being and his successors.

On motion of Mr. McNeil, it was resolved that the committee on Military Affairs be instructed to inquire into the expediency of so amending the militia Laws as to exempt such persons as have held commissions, and discharge the duties assigned them for the term of five years, from the performance of military duty afterwards, except in cases of invasion or insurrection.

On motion of Mr. Dews, it was resolved that a message be sent to the Senate, proposing to raise a joint select committee, of one member from each Judicial circuit, in each House to inquire into the measures most expedient to be adopted to insure the more prompt administration of justice in the Superior Courts of Burke, Buncombe, Lincoln and Rutherford counties.

On motion of Mr. Gee, it was resolved, that the joint select committe on Military Affairs be instructed to inquire into the expediency of revising, printing and distributing to the General, Staff, Field and Platoon officers of the volunteer and militia companies of the militia of the State, the militia laws of this State; and that the said Committee be further instructed to inquire into the expediency of appointing two other subaltern officers to each volunteer and militia company, so as to comport with the present military system of drill.

On motion of Mr. Borden, it was ordered that a message be sent to the Senate informing them that the name of Rich'd. D. Spaight is added to those already in nomination for the office of Governor of the State.

Mr. Samuel T. Sawyer presented a bill, defining and limiting the power of Courts in inflicting punishment for contempts; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Pearson's resolution of yesterday, proposing to raise a joint Select Committee on the subject of a convention, was now taken up and adopted.

*Wednesday, Nov. 28.*

Mr. Wiseman presented a bill to amend an act passed in 1832, for the relief of debtors for debts which may be contracted after the first of May next.

Mr. Lancaster submitted a Resolution instructing the Judiciary Committee to inquire into the expediency of compelling Executors and administrators of Insolvent Estates to make *pro rata* payments of all claims against the estates of their testator intestate.

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FROM THE STAR.

### *To the* REPUBLICANS *in the Legislature of N. Carolina.*

The present is the most important crisis in our government that has occurred since the close of the Revolutionary war. Within six months to come, the question will be settled, whether our government shall continue to be a *Republican Confederacy*, or become a *Consolidated Empire*.

It is amazing to look back through a lapse of fifteen years, and mark the regular and incessant encroachments of the *Federal Government* on the *rights of the States*; of *Congress* on the rights of the People. At first, they infringed on the *Constitution* with some degree of cautious apprehension; but impunity has made them bold, and they now step over its sacred pales with careless defiance. Their march is steady—it is onward towards *monarchy*—and unless now arrested, they will soon have passed the *Rubicon*, and the altars of Liberty will fall before the strides of power.

You are now assembled as the Representatives of one of the sovereign States of this Confederacy: it well behooves you, from the legislative eminence you occupy, to look around on the political prospects of the country, and see what you should do in a crisis like this: that you take no step to strengthen the central power, but that you do all you can to sustain sinking liberty.

The crisis of '98 was an important one; the struggle then, as now, was for the rights of the States and of the People. There is this difference, however, between the two periods; then the enemy had only entered the vestibule of the temple of liberty; now they have made a lodgement under the central dome itself. If we leave them quiet, they will soon so fortify themselves with usurped powers, as to set the people at defiance. We must expel federal usurpation or it will soon deprive us of the rights of State Legislation.

To the Republican Members of the Legislature, let one who has always belonged to the school of '98 say,—suffer not the present session to pass by, without a clear, and unequivocal expression of your opinions on the subject of Federal usurpations. Speak out;—let the usurpers hear you, and let the Democracy of North Carolina see that you are true men. I warn you, that the friends of Consolidation in your own bodies will be at work. They will not come out, and boldly assert their doctrines! but they will aim to give the cause of State Rights a stab through the vitals of South Carolina: their *coup de main* will be to denounce Nullification, and South Carolina.

The question with you is not, whether Nullification be the "rightful remedy." It may be right, or it may be wrong. The true question is, has a State the right to judge of the Infractions of the Constitution and of the "mode and measure of redress? (see and study the Virginia and Kentucky Resolutions.) If so, then South Carolina, in choosing Nullification as the mode and measure of redress most acceptable to her, has only exercised a right that you admit; and let all those who denounce the remedy take care lest thereby they do not impair the right. By denouncing South Carolina and her remedy, you are giving "aid and comfort" to the [illegible] and weakening your [illegible]

These reflections [illegible] by one who has always been a Republican party; [illegible] ty, not for the purpose [illegible] strong side, but from [illegible] that Republicanism, [illegible] in 1798, is the only [illegible] liberty of the country, [illegible] there are many of the [illegible] ing the name of Republi[illegible] cidedly opposed to the S[illegible] ples of that period. A [illegible] be made between the true [illegible] disciples, and the only way [illegible] as the Legislature is concern[illegible] present the touchstone of [illegible] them.

PATRICK

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FROM THE AUGUSTA CH[illegible]

### *GEORGIA CONVEN[illegible]*

At 3 o'clock, P. M. the C[illegible] according to its [illegible] the usual preliminaries, Geo[illegible] shear from the Co[illegible] following Report, [illegible] dered to be printed [illegible] member:

1. *Resolved*, Th[illegible] ment is a confederac[illegible] composing the same [illegible] poses expressed in [illegible] for those alone.

2. That every ex[illegible] Government, or by a[illegible] of, of powers not gra[illegible] tion, notwithstanding [illegible] forms of law, is in rela[illegible] ent States, a mere usur[illegible]

3. That a government [illegible] can have no constitutional [illegible] in the last resort, of its own [illegible] of the powers conferred upon it[illegible] would be to substitute for the li[illegible] of the Constitutional charter, the [illegible] of the agents who were employed [illegible] it into effect—to annihilate thos[illegible] tions, by a power derived from [illegible] instrument which created them.

4. That the Federal Governm[illegible] Government, the powers of which [illegible] pressly limited by the Constitution, [illegible] created it, and can therefore have [illegible] stitutional right to judge in the last resort of the use or abuse of those powers.

5. That it is essential to a confederated government, the powers of which are expressly limited by the Constitution, which creates it, that there should exist somewhere a power authoritatively to interpret that instrument to decide in the last resort, on the use or abuse of the authority, which it confers upon the common agent of the confederating States; that such a power cannot belong to the agent, since that would be to substitute his judgment for the constitutional limitation, and that in the absence of a common arbiter expressly designated by the Constitution for this purpose, each State as such, and in virtue of its sovereignty, is necessarily remitted to the exercise of that right.

6. That the several States composing this Union were, at the adoption of the Federal Constitution, free, sovereign and independent States; that they have not divested themselves of this character, by the relinquishment of certain powers to the Federal government, having associated with their sister States for purposes entirely compatible with the continued existence of their own original freedom, sovereignty, and independence.

7. That the act laying duties on imposts passed in July, 18[illegible]2, as well as the several acts of which that act is amendatory; in so far as it transcends the purposes of revenue, and is intended, to operate, and does operate substantively for the protection of manufactures, is an exercise of powers not granted by the constitution, but a plain and palpable violation of the true intent, meaning and spirit, thereof, that the said acts cannot be justified under the power of regulating commerce with foreign nations, since to *regulate* is not to *destroy*; and the principle of a substantial protection to domestic manufactures assumes, and in some instances exerts the power of imposing a duty, which effectually prohibits the importation of foreign fabrics of like kind with those which are thus protected, and to this extent destroys foreign commerce, instead of regulating it. That they cannot be supported under the power to lay and collect duties, since this power was given solely for the purpose of enabling the Government to raise a revenue which should be adequate to its wants and the amount of revenue which is raised by these protective duties very far exceeds the legitimate wants of the Government—and that the attempts to vindicate the exercise of a power to impose a burthen on the labor and industry, of one portion of the people of the United States, for the benefit of another portion of the same people, under the power to provide for the common defence, and general welfare of the United States, is even more alarming than the direct results of the system itself, because that is to ascribe to Congress a power to do whatever in their judgment may conduce to the common defence and general welfare, and thus to invest the national legislature with unlimited, (because mere-

that purpose on the [illegible] manufactures, and especial[illegible] are among the necessaries of [illegible] they cannot submit to the adoption o[illegible] principle, on which such duties are im[illegible] posed, as a permanent principle of federal policy—but will feel bound to resist the same by the exercise of all their rights as one of the sovereign members of this confederacy—and by consultation and concert with their sister States, having like interests with themselves, and disposed to unite with them in resistance to this principle.

10. That it be respectfully recommended to the several southern States, having a common interest with us in the removal of the grievances under which we labour from the protective system; to assemble in Convention by delegates from the respective States, corresponding to the number of their Representatives in Congress, and elected for that purpose on the third Monday in March next, to consider together on the subject of these grievances, and to recommend to the people of their respective States such measures as may best conduce to the removal of the same—and that the place of such meeting be determined by correspondence between the Delegates elected to said Convention.

11. That the Clerks of the Superior Courts in the several counties, be requested to open a register in their several offices, and that the citizens of each county be requested to attend at said offices and enrol their names in the said register, expressing their approbation or disapprobation of the proceedings of this Convention—that the said registry be conducted under the Superintendence of Committees to be appointed by the President of this Convention for each county—that the said Registry be opened on the 15th day of December next, and kept open for 30 days thereafter, notice thereof being given by the superintending committee in each county.

12. That if at the expiration of the time of registering the names of the citizens in the several counties, a majority shall be found in favor of the proceedings of this Convention, it shall be the duty of the superintending committees in each county to give public notice of that fact within said county, and to invite the citizens of the same to elect by general ticket on the first Monday in February thereafter, eleven Delegates to represent this State in the proposed Convention of States.

13. That when this Convention adjourns it adjourn to meet at this place, on the first Monday in May next—and that the counties which are not represented in this Convention, be respectfully requested to elect delegates to represent them therein, at the said adjourned meeting.

14. That the President of this Convention do communicate the foregoing resolutions from one to ten inclusive to the Governors of the several States, having common interest with us in the removal of the grievances of which we complain, asking them to give publicity of the same within their respective States, and earnestly [illegible]

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…rupt the morals of the peo-

…Austin and the Hon. Daniel
…essed their fellow citizens in
…eport and resolves, in speech-
…re distinguished for closeness
… variety of illustration and
…fact.
…t was then accepted; & the re-
…ended by the committee un-
…ssed.
…thanks to the Hon. Mr. Otis
… and to those members from
… the House of Representatives
…States who opposed the new
… unanimously agreed to.

*N. Y. weekly Register.*

## …W TREATY.

…HICH the principles of the
…se:—The whole Indi-
…ed to the United States,
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…ntry surveyed as soon as
…ertise and sell it at public
… manner, and on the same
…pects as other public lands
… be made as soon as the land
…ed. It is stipulated that the
…re to select for themselves, a
…t of the Mississippi river and
…o move away before the first
… of their lands. Should they be
…remove before that time, they
…tted to retain a tract of land for
…ily to live on until they fix upon
… of their future residence. It is
… agreed however, that they will
…as soon as they can, and when
…those tracts upon which they re-
…l be sold as the other lands are,
…he Indian territory not now occu-
… them, is to be sold, when surveyed
…persons are permitted to move on
…led lands, until the sales take place;
…should a presume to do so, they will be
driven off. The Chickasaws are to re-
ceive the nett proceeds arising from the
sale of the lands, deducting all incidental
expenses connected with the survey and
sale of the same. Three fourths of all the
money derived from the land sales, are to
be vested in stock at interest, by the Gen-
eral Government, for the benefit of the
Chickasaw nation, allowing them to use
the interest, but never touch the principal
reserving that as a fund for the use of the
nation forever.—The ceded territory is
about 100 miles square, and the number
of acres is estimated at 7,000,000.

*Florence Gaz.*

…t; last, when she saw that she
…to be its endless victim. She is pre-
…ared rather than endure this, to suffer the
worst that lawless force can bring against
her. The chace, if she is to be hunted
down, will find her not flying, but at bay.
They threaten us with war; and they
cry out for peace and Union. Are these
measures, that desolate our whole country,
peace? Is that Union, which sows these
utterly cruel, unjust, and partial laws a-
gainst us?

But tyranny is a perpetual war. That
which they are urging against us, may not
burn cities nor slaughter armies. But its
ravages, though quiet, are equally fatal.
Poverty and desolation march with it; and
servitude brings up its rear.

If war, therefore, or such peace as this,
be the alternative, that they are determin-
ed to force upon us, the choice is an easy
one. Let it be a brief, but bold struggle,
that shall give us, at once, either blind and
brutal slavery, or a secure and honourable
freedom.

The course of the general Government,
is however, as clear as our own. It cannot,
dare not fail, to take the only plan left to
save this confederacy from dissolution,
and perhaps blood. It must, and, we dare
to say it, will call a Convention of the
States."

## NEW TARIFF.

*Boston, Oct. 3, 1832.*

Yesterday an adjourned Meeting on the subject of the proposed Tariff was held in Faneuil Hall Hon. Wm. Gray, Chairman, Wm. Foster. Jr. Secretary.

A long and interesting report was read from the committee appointed at a former meeting which concluded with the follow-ing resolves.

*Resolved*, That we have regarded with pleasure the establishment and success of Manufactures among us, and consider their growth when natural and spontaneous, and not the effect of a system of bounties and protection, as an evidence of general wealth and prosperity.

*Resolved*, That relying on the ingenuity, enterprise, and skill of our fellow citizens, we believe that all Manufactories adapted to our character and circumstances, will be introduced and extended as soon, and as far as will promote the public interest without any further protection than they now re-ceive.

*Resolved*, That no objection ought ever to be made to any amount of Taxes equal-ly apportioned, and imposed for the pur-pose of raising revenue necessary for the support of the Government; but that taxes imposed on the people for the sole benefit of any one class of men, are equally incon-sistent with the principles of the constitu-tion and with sound policy.

*Resolved*, That the supposition that un-til the proposed tariff or some similar mea-sure be adopted; we are, and shall be de-pendent on foreigners for the means of sub-…tence and defence is in our opinion al-

they have freedom of intercourse, the superiority of each country in its own pursuit is a benefit to every other. It is a benefit to Ireland that the people of England, by their peculiar skill, are enabled to produce cheap manufactures; it is a benefit to England that the people of Ireland can raise cheap food—because, by the free and easy intercourse between the countries, Ireland buys cheap manufactures with its superfluous agricultural produce, and England can get food more easily than it would otherwise obtain it, by the manufactures which it does not consume at home. The mistaken policy of nations has often been to lessen the benefits of commerce, and to counteract the arrangement of nature under which each nation has some peculiar advantage in productions, which, by means of freedom of trade, becomes a common blessing to the human race; but when neighboring countries already enjoy freedom of intercourse, it would be a more than ordinary folly to deprive them of the advantages of it.

*London Globe.*

JOSEPH BONAPARTE.—The "good society" of London are quite shocked at the "*American habits*" of the Ex-King. Being invited to the house of a leader of the ton, he actually took leave before the rest of the visiters arrived. The hour of half past ten found the Royal Lion somewhat sleepy, and he went home! He has lately made a visit of curiosity to the Bank of England. It is very natural he should like to look at the strong box where he means to keep his money.

## FOREIGN EXTRACTS.

General Lafayette was lately seated at a dinner next to a bishop. "Sir," said the General, "shall I help you to some partridge?"—"I thank you," replied the Bishop, "this is Friday."—"You need not be afraid, they were prepared *au maigre* purposely for you."—"They are like your citizen monarchy then," replied the prelate, "which was dressed *a la republique*, to induce you to accept it."

The health of M. de Polignac has suffered lately from his captivity. It has been preying on his mind, in spite of his fortitude and of the constant and affectionate attentions of his excellent lady. She is at Ham, and permitted to visit him from 12 to half-past 1 in the afternoon. He is on friendly terms with M. de Guernon Ranville, and their other fellow prisoner; but M. de Peyronnet seems to have seceded from their company. Government has deprived the last named gentleman of his newspapers, on account of his being addressed as *Count* de Peyronnet.

*One Day Later from England.*—The Brig ship *Nimrod*, Cap. Atkins, which arrived at this port yesterday, brought files of English papers, London to the 16th, and Liverpool to the 17th October, together with Shipping Lists to the latest dates.—These papers furnish very little political news in addition to that already published.

The new French ministry is said, upon the authority of the latest French papers, not to be improving either in the good graces of the politicians or in the confidence of the monied people of the capital—and the press seems almost unanimously to have sworn the destruction of the new cabinet. Since its formation no less than 59 new peers have been created.

The unsettled differences between Holland and Belgium continued to excite much interest in England, and the commercial interests, particularly, were tremblingly alive to the possibility of a continental war.

A correspondent under date of the Hague, Oct. 12, says—"For this week politics here are as stagnant as a Dutch ditch."

There appears to be nothing later from Portugal. Men and arms are constantly departing from England, destined for the service of Don Pedro.

American papers to the 20th September, had reached London on the 16th ult.

The statement that the British fleet which were assembling at Spithead, had been ordered to the Scheldt, is pronounced to be incorrect—it was merely to hold itself in readiness for immediate service.

The late gales had been very destructive to the shipping on the coast of England.

The body of Capt. Platt, of the ship *Wm Neilson*, for New Orleans, wrecked on the 8th ult. had been found near the North Buoy. None of the other bodies had yet been found. A Mr. Sommerville, attached to the theatrical profession, with his two daughters, were passengers in this unfortunate ship. Fragments of her wreck covered the harbour of Liverpool. Not less than 25 persons are supposed to have perished by the wreck of this vessel.

On board the ship *Grecian*, for Boston, which sunk in Bootle Bay, in the same gale, the steward, with a woman passenger and her son, a boy about 5 years old, were drowned, when the ship went down. The captain and crew had a narrow escape in getting on shore in the boats.

The packet ship *Algonquin*, which was sunk in the same gale of the 8th ult. has been raised and taken into dock.

The increase on the last quarters revenue over the corresponding quarter of last year, was £696,840 sterling.

*Chas. Evn. Post.*

## UNITED STATES SENATOR!

The following gentlemen have been named as candidates to supply the vacancy occasioned by the resignation of Mr. Taze well.—Benjamin Watkins Leigh, Gov. Floyd, Judge Barbour, Wm. S. Archer, Judge Tucker, Wm. C. Rives, John Randolph, Philip R. Thompson, and perhaps some others.

Why have the pretensions of Gen. Wm. H. Brodnax been overlooked? We have heard his name mentioned in private!—and also that of John T. Brown, Esq. of Petersburg. Who is to be the successful candidate, is altogether matter of conjecture. Virginia needs a firm and honest man. "*Rienzi*," who nominates Gov. Floyd, shall certainly appear in our next.

*Jeffersonian.*

*Composition of the Senate, after the 4th of March next.*—The Washington correspondent of the N. York Journal of Commerce makes the following estimate of the strength of parties in the Senate of the United States, after the 4th of March next:

| | Jackson. | Opp. | | Jackson. | Opp. |
|---|---|---|---|---|---|
| Maine, | 1 | 1 | S. Carolina, | 0 | 2 |
| N. Hamp. | 1 | 1 | Georgia, | 2 | 0 |
| Vermont, | 0 | 2 | Alabama, | 1 | 1 |
| Mass. | 0 | 2 | Mississippi, | 1 | 1 |
| Connecticut, | 0 | 2 | Louisiana, | 0 | 2 |
| Rh. Island, | 0 | 2 | Missouri, | 2 | 0 |
| New York, | 1 | 1 | Illinois, | 2 | 0 |
| New Jersey, | 0 | 2 | Indiana, | 1 | 1 |
| Pennsylvania, | 1 | 1 | Ohio, | 1 | 1 |
| Delaware, | 0 | 2 | Kentucky, | 1 | 1 |
| Maryland, | 0 | 2 | Tennessee, | 2 | 0 |
| Virginia, | 2 | 0 | | — | — |
| N. Carolina, | 2 | 0 | Total, | 21 | 27 |

It is true there is some difficulty in marshalling such men as Moore of Alabama, Buckner of Missouri, and Hendricks of Indiana, not to mention Bibb of Kentucky, or Robinson of Illinois. They have the qualities of the Irishman's pig, which ran about so that he could not count it.

If it be a wise ordinance of Providence that one nation is dependent on the prosperity of another, it is a foolish ordinance of man which endeavors to counteract that superior decree. Countries when left to themselves flourish in those branches of industry for which their several positions, soils, climates, and the different genius of their inhabitants are best suited, and if

## GENERAL ASSEMBLY.

### SENATE.

*Friday, Nov. 30.*

Mr. Hinton presented the following preamble and resolution, which was read and adopted:

Whereas it often happens that the Widows and infant Children of intestates, are left in possession of some property, but too inconsiderate in amount to be an inducement to any person to administer thereon, and undertake the settlement of the debts of such intestates by reason of which such widows and children cannot lawfully dispose of any part of such property, upon which to subsist:

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of giving the right to such widows, of filing petitions for one year's support, and have the same laid out in the same manner as if administrations had been granted on such estates; and that they have leave to report by bill or otherwise.

The bill, concerning the removal of causes for trial, was read the second time, and referred to the committee on the Judiciary.

The engrossed bill declaratory of the law now in force giving to the Courts of Pleas and Quarter Sessions of the several counties within this State, the power to alter and fix separate places of election, was read the first time and passed.

*Saturday, Dec. 1.*

The engrossed bill declaratory of the law now in force, giving to the Courts of Pleas and Quarter Sessions, of the several counties within this state, the power to fix and alter separate places of election, was read the second time and passed.

Mr. Moore presented a bill to repeal an act to prohibit the circulation in this State, after the 4th day of July 1832, of Bank notes under five dollars issued by banks of other States; which was read the first time and passed.

### HOUSE OF COMMONS.

*Thursday, Nov. 29.*

Mr. S. T. Sawyer introduced a bill to alter and amend the Criminal Laws of the State, which was read the first time, passed, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Courts presented a bill vesting in the Courts of Pleas and Quarter Sessions of the several counties within this State, the right of establishing additional places of Public Sale in their respective counties.

Mr. Allison, a bill to repeal in part an act, passed in the year 1806, entitled an act to revise the Militia Laws of this State, relative to the infantry.

The bill to vest the right of electing the Clerks of the County and Superior Courts within the several counties of this State, in the free white men thereof, was read the second time; and after several amendments made thereto, Mr. Edmonston moved to amend the bill by adding after the words "Superior Court Clerks," the words "and County Solicitors;" which was rejected. Ayes 30, Nays 101. Mr. M'Leod to amend the bill, by adding after the word "Clerks," the words "and Constables," which was also negatived. Yeas 21, Nays 108. Mr. Outlaw moved that the said bill be postponed indefinitely; which was decided in the negative, Yeas 39, Nays 91. The question was then put on the passage of the bill the second time as amended, and decided in the affirmative Year 98, Nays 28.

*Friday, Nov. 30.*

Mr. McLeod submitted the following resolution, which was read and rejected.

Whereas the Charters of the present Banks are already so near their end, as to render their usefulness as such to the commerce of the State of but little benefit; and whereas the continuance of the United States Bank, any longer than the period of its present charter, is put beyond a doubt, a duty therefore devolves upon this Legislature to provide other and new means for a currency of this State; and whereas, both experience and the nature of our government present us a cautious admonition against the creation of any single banking corporation, with a capital large enough for the demands of the State, and with power to establish its branches in various sections of the State, such an institution may, and will, in times suited for such an occasion, either directly or indirectly influence the first privileges of the citizens through its various branches, and those connected with them.

Resolved, therefore, that the joint select committee on Banks be directed to inquire into the expediency of creating distinct and various banking corporations, located in the different sections of the state, and such with such a capital only as the commercial exigencies of such locations may actually require, with ample provisions for the soundness of their issues, by a retained supervising power of the legislature, thus creating a competition in their business, and a check upon their actions, unknown to a large Mother Bank and branches; and that the committee report by bill or otherwise.

The following engrossed bills and resolutions were read the first time and passed, to wit: A bill to incorporate the Experimental Rail Road Company, in the city of Raleigh. A bill to abolish the office of county trustee in the counties of Buncombe, Nash, Hyde, Guilford, Rowan, Onslow, Columbus and Beaufort. A bill to regulate the Court of Pleas and Quarter Sessions of Davidson, Hyde and Onslow counties.

Mr. Ledford introduced a bill, directing the manner in which constables shall hereafter be elected in the county of Davidson; which was read the first time, passed, and referred to the committee on private bills.

Mr. Murray presented a bill to repeal in part an act, entitled an act to amend the law with respect to the collection of debts from the estates of deceased persons, and the law in relation to the levying of executions issued by justices of the peace; and

Mr. Bragg introduced a bill to compel executors, administrators and guardians to make the returns of inventories and accounts, under certain penalties; and

Mr. Pierce, a bill requiring warrants issued by justices of the peace, in civil cases, to be returned in the district in which the defendant may reside; which bills were read the first time, passed, and referred to the committee on the Judiciary.

The bill to vest the right of electing the clerks of the County and Superior Courts, within the several counties in this state, in the free white men thereof, was referred to a committee of the whole House, and made the order of the day for to-morrow.

*Saturday, Dec. 1.*

Mr. Abernathy presented a bill to secure the more perfect administration of justice in certain cases; which was read the first time, passed, and referred to the committee on the Judiciary.

Mr. Eccles, from the committee on the Judiciary, to whom was referred the bill defining and limiting the power of courts in inflicting punishments for contempts, reported the same without amendment; which was referred to a committee of the whole House, and made the order of the day for Tuesday.

Mr. Irvine presented a bill to repeal an act, entitled an act to prohibit the circulation in this State, after the time therein mentioned, of bank notes under the denomination of five dollars; which was read the first time and passed.

The Speaker laid before the House a Communication from the Public Treasurer, transmitting a statement of the affairs of the Bank of Cape Fear and the State Bank of North Carolina, received at his office since the date of his annual report; which was sent to the Senate, with a proposition that it be printed.

The House, now resolved itself into a committee of the whole, Mr. Polk in the chair, and took up the bill to vest the right of electing the clerks of the County and Superior Courts, within the several counties in this State, in the free white men thereof; and after some time spent therein, the Speaker resumed the chair, and the chairman on behalf of the committee, reported the said bill, with sundry amendments which were concurred in. The bill as amended, was then read the third time, passed, and ordered to be engrossed Yeas 93,—Nays 30.

Those who voted in the affirmative were Messrs. Abernathy, Adams, Arrington, Blowe, Boddie, Bonner, Brower, Bargin, Cansler, Carter, Clark, Clayton, Cloman, Courts, Craige, Cromwell, Cunningham, Cuthbertson, Davidson, Dewes, Dockery, Doherty, Emmit, Enloe, Faddis, Foscue, Gillespie, Glass, Grady, Guthrie, Hammond, Hardison, Harrison, Hart, Horton, Hunt, Irion, Irvine, Jarvis, J. B. Jones, R. Jones, Jordan, Lancaster, Lee, Liddell, Little, Locke, Loudermilk, Lyon, Mangum, Marsteller, Mask, Maultsby, Monk, Montgomery, Mullen, Murray, M'Laurin, M'Neill, M'Queen, Norman, O'Brien, Park, Peeples, Potts, Rand, Relfe, Ridley, Saintclair, S. T. Sawyer, F. A. Sawyer, Settle, Simmons, Sloan, Smith, Staltings, Stephens, Thomas, G. A. Thompson, Townsend, Tunstall, Ury, Wadsworth, Ward, Watson, Weaver, Welch, Whitaker, Wiseman, Witcher, Word, Zigler, Allison.

Those who voted in the negative, were Messrs. Baker, Barringer, Borden, Beeman, Burns, Daniel, Eccles, Edmonston, Gary, Gee, Graves, Gwynn, Harper, Hartley, Hill, Hinton, Judkins, M'Clease, M'Leod, McMillan, Nelson, Pierce, Poindexter, Sheppard, Skinner, Spruill, L. Thompson, Tillett, A. W. Wooten, C. Wooten.

## Executor's Notice.

I WILL offer for sale, at the late dwelling house of Catharine J. Andrews, dec'd. *Horses, Cattle, Hogs, Sheep, two waggons, one set of Surveying Instruments, Household and Kitchen Furniture, Farming Utensils, Wheat, Corn, Oats, Hay, &c.*, with other articles too tedious to mention.

All persons indebted to said estate, are requested to come and settle. Those having demands, are notified to present them within the limit of the law. JNO. HOUSTON, *Ex'r.*

*December 3rd*, 1832. 3t55

N. B.—The plantation on which said dec'd. lived is now offered for sale; it contains 475 acres, lying on Back Creek, Rowan County, N. C. joining the lands of George Andrews, John F. McCorkle and others. Any person wishing to purchase can get further information by applying to Mr. Amos Andrews who lives on the premises. J. HOUSTON.

## COMMUNICATION.

FOR THE WESTERN CAROLINIAN.

Mr. Editor:—

I am one of that class of men called *Nullifiers*, but who some years ago were called *Republicans*. Our *principles* are the same now, as they were in 1798, but unfortunately, we are now called by a name which has made our principles somewhat unpopular. The fact is the Clay men, the Tariff men and the Federalist, who are generally linked together have made a great noise about "*Nullification*" and have succeeded in making many ignorant persons believe that it is next thing to Old Nick himself. It was just the same case with *Republicanism* in 1797: A *democrat* at that time, was looked upon with terror in many parts of the Country, but in three years time a large majority of the people became democrats and in 1801 North Carolina went for Thomas Jefferson as President, who was a real *Democrat* and the very father of *Nullification*. So it will be with Nullification when it becomes better understood: However, my present object is not to defend Nullification but to give you an instance of the extreme delusion that have been created on this subject by designing men. Being known as a "Nullifier" I have on several occasions witnessed what ridiculous ideas prevail at some places about it. I will give you a short history of a scene that occurred the other day, in which, I acted rather a conspicuous part.

For the purpose of transacting some business, I had occasion to visit a Village not far from where I live though in a different county, I am *personally* known there to some of the citizens, and it appears, I am well known by character to the most of them as a Nullifier. I rode into the Village and stopped at one of the most public Taverns, where I had several times before put up, and of course was known to the Landlord. After ordering my horse away, he scarcely took time to set out the whiskey; as is his practice, before he disappeared. I soon discovered that the children and servants all seemed to eye me very slyly as they passed around, and the lesser children I could discover peeping at me from behind the room doors. I thought all this very odd & to say the least of it an evidence of ill breeding. As no person seemed disposed to come, and keep me company, I took up my hat, and stepped round to the stable to see what notice my horse had attracted; as I passed out I saw the Landlady peeping at me through a back window; as I went by the kitchen I noticed the Cook woman looking through the cracks at me; and in short it appeared to me that I was an object of greater curiosity to the whole establishment than the Elephant himself would be. At the stable I came across the Hostler—an African beyond the middle age.—I said to him "Hey! Old Daddy! the people here at the house I guess dont often see strangers: for they are peeping at me as if I was the d——l himself?—The old genius gave a cunning grin and answered "O! yes massa dey ebry day see *tranger*, but no often see Nullumfier." How is that said I? Oh? I begin to understand it; you mean Nullifier? Yes; massa dat he; you no Nullumfier massa? Well old man what harm is there in a Nullifier? Oh! massa you know; dey say he for kill folks! Kill folks! is that all? yes massa dat all. Then old man you tell the folks at the house if they dont quit watching me I'll not only kill some of them but I'll eat them in the bargain.—I further learned from the old man, that the Landlord had gone down street to let "de people know dat a Nullumfier was come."

As I passed down street where my business lay, such a peeping from around corners, from behind doors, and window curtains, was never before witnessed. The Taylors quit their Boards, the Shoemakers their lasts, the store boys their counters to get a glance at the Nullifier.

I could see the boys in advance of me watching my approach and would run off as I drew near. I got near enough to a corner, to hear One Urchin, say to another, See, Tom, there he goes, law! how mad he looks,—lets run—I wont run Bill, said the other, for he dont look like he'd hurt a body—why he looks like any body else.

In short, Mr. Editor, I was an object of universal curiosity, merely because the Landlord had passed down the street and whispered it, as he went, that I was a Nullifier. If one of the humble disciples of the School of '98, could excite such curiosity in the good Village of ——, what would the people do, if the Father of Nullification, Thomas Jefferson himself could have passed among them? I think, the Village would have been deserted.

I quit the place in disgust, not, at the ignorant inhabitants, but at the few demagogues, who have so miserably deluded them.

A NULLIFIER.

FIAT JUSTITIA RUAT COELUM.

SALISBURY,

DEC. 10, 1832.

## The Legislature of N. Carolina.

Since the publication of our last paper, little has transpired of very much interest to the community, except the election of a Governor, and the passage of the Clerks Bill in the House of Commons.

BALLOTING FOR GOVERNOR.

| | 1st | 2nd | 3rd | 4th | 5th | 6th | 7th |
|---|---|---|---|---|---|---|---|
| R. D Speight, | 73 | 90 | 80 | 75 | 77 | 84 | 85 |
| Jno Branch, | 56 | 59 | 53 | 53 | 53 | w'n | — |
| T. G. Polk, | 50 | w'n. | — | — | — | — | — |
| Judge Swain, | — | — | 56 | 61 | 60 | 93 | 99 |
| Blank, | — | 50 | — | — | — | — | — |

Which has resulted in the election of Judge Swain of Buncombe County upon the 7th balloting he having received 99 votes. It appears previous to the 3rd Balloting Judge Swain was nominated, who received all the Blank votes given in upon the 2nd balloting and upon the withdrawal of Mr. Branch on the 6th balloting, his supporters nearly all went for Judge Swain.

The Bill to vest the election of the County, and Superior Court Clerks in the free white people of this State, passed its third reading in the House of Commons. The *yeas* and *nays* on this measure will be found in another part of this paper among the proceedings of the Legislature.

### GOV. OF SOUTH CAROLINA.

The term of service for which Gov. Hamilton was elected, being about to expire, the members of the Legislature, met together in the Representative Hall some days ago for the purpose of nominating a successor. Genl. R. Y. Hayne was nominated, and no doubt before this time has been elected as Governor of the State. This makes a vacancy in the Senate of the United States, which probably by this time has also been filled —perhaps by the appointment of Gov. Hamilton or Mr. Calhoun.

### Consolidation Meeting in Louisville, Kentucky.

A party of the *Tariff Consolidationists* recently held a meeting in Louisville, Kentucky, and passed Resolutions breathing the very spirit of tyranny. They say, that a State has no right to leave the Union, and intimate, that they wish to see the Federal Government use force to prevent it. What a falling off in these men, from the men in Kentucky in 1798—9. But the fact is, there is very little of the "half horse & half alligator" blood in the folks of Louisville; the place is mostly settled by Northern Tariffites, and do not speak the sentiments or feeling of the yeomanry of Old Kentuck

It does indeed seem that there are some people in various parts of this Union, who wish to see Monarchy introduced among us. It is true they do not cry out like the Jews in days of old "*Give us a King*" but they do what is equally as bad,—they insist on the Federal Government exercising more than kingly power.

### FREEDOM OF TRADE.

Mr. *Macauly*, one of the Reformers of England, in his speech before the Electors of Leeds, makes use of these words: "As I AM FOR FREEDOM OF DISCUSSION & "OF WORSHIP, SO I AM ALSO FOR THE "FREEDOM OF TRADE. I AM FOR A SYS-"TEM UNDER WHICH WE MAY SELL, WHERE "WE CAN SELL DEAREST, AND BUY, WHERE "WE CAN BUY CHEAPEST. I FIRMLY BE-"LIEVE, THAT BY JUST LEGISLATION, ON "COMMERCIAL SUBJECTS, A GREAT PART "OF THAT DISTRESS, WHICH THE PEOPLE "OF THIS COUNTRY LABOUR UNDER, MAY "BE ALLEVIATED, OR REMOVED."

The cause of Free Trade, is gaining ground rapidly in England.

### Well done Old Mecklenburg!

We learn, that during the week of Mecklenburg County Court a public Meeting was called, for the purpose of *denouncing nullification* and to prop up the tottering Tariff System, as has heretofore been done in several of the Western counties. Accordingly the Tariff men in due season mustered their forces, and were very smart in organizing the meeting and very promptly offered Resolutions about *Civil War, Bloodshed, Nullification, Disunion, &c. &c.* But here their part of the game ended, and the *State Right Republicans* took it up, and played it out. Other Resolutions were offered quite of a different character, and were carried by an overwhelming majority, we have not yet seen them, but hope to present them in our next paper.

We understand that G. W. Morrison, Esq. of Mecklenburg, and J. Mushat, Esq. of Iredell, were the two gentlemen who took the lead in proposing and sustaining the Anti-Tariff *Resolutions*. They deserve the warm thanks of the people whose rights they thus defended: and as to the Republicans of Mecklenburg, the tariff men will now learn that, the *Sons* are not unworthy of *their Fathers* who 56 years ago, were the first in all America, to hoist the banner of Independence and Liberty. The "*Federal lawyers*" by whose agency this meeting and indeed all the Tariff meetings held in the western counties, were called, no doubt were greatly mortified at the result, and, we think their friends have some reason to complain of them for not attending the Meeting & helping them out. It is however one thing to *work the wires* and another to appear openly on the stage.

## WHAT NOW IS TO BE DONE?

[CONTINUED FROM OUR LAST.]

In our last weeks paper, under this head, we submitted a few remarks to show, that it was not very probable that civil war will be the attitude assumed by South Carolina. We advanced some reasons, to show why Congress will not attempt to *coerce* South Carolina into a submission to the Tariff; and submitted some quotations, from the opinions of President Jackson himself, to show that *he* heretofore has been opposed to any thing like the employment of force against a *Sovereign State*.

We purpose now, to pursue the subject a little further. We will for a moment, suppose, that Congress is sufficiently infatuated, to pass an act, ordering the employment of force against South Carolina, and that the President in violation of all his former principles, and of his duty, is ready to obey their arbitrary decrees, what then will follow? The answer is to be found in the last clause of the *Ordinance* of South Carolina. In that Ordinance the people of South Carolina, in Convention assembled; solemnly declare to the Federal Government, and to the people of the co-States, that should an attempt be made to use force against them, that moment she will *secede* from the Union, and set up a separate government for herself! Here then the question would assume a new form. Has one of the *States* of this *Confederacy* a right to *recede* from the Union? If a *State* has such a *right*, then on South Carolina exercising this right, all danger of civil war and bloodshed, must be at an end, for it is not reasonable to suppose, that the Federal Government will march armies, and move navies to prevent South Carolina, from doing, what it is admitted she has a right to do. Besides if S. Carolina or any other State, is disposed not to remain in the Union, and quits it; how is she to be forced back into it? She may be conquered; her territory overrun with hostile troops, and her citizens exterminated, but how can she be forced into the Union? how can she be forced to hold elections? to vote? to pay taxes, and to do many other acts, incident to her being in the Union? It is a homely saying, but a true one, "THAT ONE MAN MAY LEAD A HORSE TO THE WATER—BUT A DOZEN CANNOT MAKE HIM DRINK." South Carolina may be conquered, she may be made a colony, but not *forced* back into the Union, on the footing of the other States, contrary to their will.

But is it true, that a *State* has a right to *recede* from the *Union*? We believe that until a year or two past, this right was generally admitted, to belong to a State, as well by the *Federal* as by the *Republican* party. We remember very distinctly, the opinion of one of the present Judges of our Superior Court: Judge *Martin*, in August 1830, expressed in a letter to Messrs Jones and Craige, then co-Editors of this paper the following opinion: "I AM A FEDERALIST "OF A SCHOOL TO BELIEVE, THAT A *State* HAS A "RIGHT TO RECEDE FROM THE UNION, WHEN-"EVER, IN HER SOVEREIGN CHARACTER, SHE "SHALL BE OF OPINION THAT THE CONSTITUTION "HAS BEEN VIOLATED." Nothing can be more in point than this opinion of *Judge Martin's*! Nor is Judge Martin singular in this opinion, for he will find himself in very good company. Even Mr. *Webster*, the great advocate for Federal Supremacy, admits, that a State has a right to *secede*, though he says it is not a constitutional right, but a right beyond the constitution.

*Mr Livingston*, the present Secretary of State, in a speech in the United States Senate, speaking of the remedy a State may have to escape the oppressions of the Federal Government, says, "IF THE ACT BE ONE OF THOSE FEW, "WHICH IN ITS OPERATIONS CANNOT BE SUBMIT-"TED TO THE SUPREME COURT, AND BE ONE "THAT WILL IN THE OPINION OF THE STATE "JUSTIFY THE RISK OF A WITHDRAWAL FROM "THE UNION, THIS LAST EXTREME REMEDY MAY "AT ONCE BE RESORTED TO."

Judge Barbour, in his letter to the Shocco committee, says as follows: "*Whenever the* "*question is one of political power that is, be-*"*tween the Federal Government and the States,* "*whether the former has invaded the reserved* "*rights of the latter, I hold that questions of this* "*kind do not belong to judicial cognizance; that* "*the people of the States, are parties to the Fed-*"*eral compact, in the character of States; that* "*the Constitution has not conferred upon the Ju-*"*dicial department any political power whatever; that, therefore, in relation to questions of this* "*character, there is no common umpire. And,* "*that consequently, the States must decide for* "*themselves. This is the right: but what is the* "*remedy? My opinion is that the only rightful* "*remedy, is that of* SECESSION."

But it is useless to multiply authorities, to prove what requires no proof, what every freeman feels to be so

If then a State has a right to secede from the Union, and South Carolina, thinks proper to exercise this right, there is an end of the question, and the Confederacy is minus one State.

[TO BE CONTINUED.]

### The Rowan Memorials and Remonstrances to Congress against the Tariff.

A number of these memorials have been returned to the Committee, during the past two weeks, it is highly creditable to the people that they have generally signed them. In some of the companies, the signature of every man of mature age has been obtained; in others, a few persons have refused to sign them, and in some parts of the county the district committees as yet have been prevented by circumstances from offering them to all for signature, and for this purpose they will retain them a few weeks longer. Even, many of the moderate Clay men, seeing the great injustice of the Tariff have cheerfully signed the memorials: Those who have refused, are generally whole-hog Tariffites, or are under the influence of the Federal Tariff leaders in and about Salisbury. When it is recollected that the two Tariff papers came out and warmly advised the people not to sign these memorials, and that our present members to the legislature from the county, used all their influence to the same end, it is a highly gratifying circumstance that the signing has been so general It shews that the people begin to understand the subject, & what is more, that they begin to find out and entertain men,

### Tone of feeling in Georgia against the Tariff

It will be recollected, that in the course of the summer, a very large and highly respectable Anti-Tariff meeting was held in Athens (Georgia) composed of many of the first men in Georgia, attending the college commencement, from various parts of the State. The meeting adopted *Resolutions*, inviting the people in each county in the State, to choose *Delegates* to meet in Milledgeville on the 2d Monday of November to take into consideration the subject of the Tariff, and to consult as to the best plan to get rid of it. Sixty odd counties out of about eighty, zealously went into the measure, and elected Delegates; they met in convention at the time appointed, there being about 130 Delegates present. The first step was to appoint a chairman preparatory to the organization of the Convention. *John Moore* of Oglethorpe county, a decided *nullifier* was made chairman. They then proceeded to elect a President of the Convention, when Ex-Governor *Gilmer* a decided *resistance* man was chosen. A large majority of the Convention is composed of *resistance* men, as they call themselves in Contra distinction to the *submission* men.

Governor Gilmer on taking the chair returned his thanks to the Convention in a spirited address in which he says:

"The appearance of this thronged audience is but an indication of the deep interest which is felt throughout our State, and beyond it, on the subject of our deliberations. We are now, indeed, presenting the spectacle familiar to old and despotic governments, but never in our country, of a struggle which is about to commence, which has indeed already commenced, between the *people* on the one hand, and the government on the other, for the possession of power."

It appears that the *submission* men in different parts of the state were very active in sending as many delegates of their party as possible to the convention and in convention they rallied under *Mr. Forsyth* who did all in his power to embarrass the convention. On one occasion he offered several Resolutions and made a laboured and violent speech in their favour; during his speech he was hissed in the most disrespectful manner by the immense crowds in the gallery and lobbies. Finally Mr. Forsyth and about 50 others, offered a protest and backed out from the Convention, while the balance continued in session & adopted a series of Resolutions asserting State Rights and breathing the Spirit of Liberty. They will be found in another part of this paper, as another evidence of the tone of feeling in Georgia we may notice that Resolutions have been introduced in one branch of the Legislature (the Senate) denouncing the Tariff in no very measured terms, and declaring that *the time has come*, when some measure must be adopted to *redress* the grievances of the South.

The Resolutions then propose a Convention of the aggrieved States.

### INCENDIARY LETTER.

About twelve months ago, a number of the Post Masters in the southern States, received the following letter, addressed to them in the shape of a printed circular. As we have not yet seen any notice taken of it in the newspapers, we see no impropriety in our presenting it as a small "Sign of the Times" as the phrase now goes.

If Congress has a power, as many contend to take from the South 45 out of every 100 Bales of Cotton by the legerdemain of the Tariff will not, the same power authorize them, at least, in the Majority of themselves, to set the negroes free and turn them loose on society; not in Liberia, but here at home? No one will not think this *far fetched*, who has strictly attended to the attempts to legislate on this subject for the past 12 years.

*Albany, September 15th, 1832.*

SIR—As our Constitution says, that all men are equal; and as God has created of one flesh all the nations of the Earth; and as the Negroes are no worse when born than the Whites; and as there is no prospect that a voluntary release of the slaves will be effected to any great degree. I hereby make known, that for these, and other reasons, I will as an individual, use all honorable means to sever the iron band that unites the slaves to their master. And so long as this national ulcer (slavery) remains upon a part of the Republic, a disunion is highly desirable. It is a disgrace to the United States. It is looked upon as such by the most of Europe. What? a republic boasting its equal rights, when a worse system of slavery, is hardly (if at all) to be found! It is a shame. Yours respectfully. SHERLOCK S. GREGORY.

### CONGRESSIONAL DISTRICTS.

We see that it has been referred to a joint select Committee to inquire into the expediency of laying off anew the *Congressional Districts*. We have hastily run over the calculations to ascertain the *federal* numbers in each of the present districts, and find the inequality to be very great. For example, we find that the second district viz. Northampton, Bertie *&c.* contains only a federal population of 40,870 Souls while the seventh district, Richmond, Anson, &c contains 57,763, the tenth district viz. Burke, Rutherford, *&c.* contains 57,742, the ninth district, Stokes *&c.* contains 56,537, all the others about 45,000 each, except the fourth district which contains 51 000.

This is a great inequality, and certainly should be altered, yet we doubt very much whether it will be done. We understand that the present members of Congress are opposed to any change, and their influence will go far to prevent it, certainly the chance of re-election to some of them will be lessened by a change, but this should have no influence with the Legislature. The object should be to let the people of every part of the State have equal representation; not to allow 40,000 souls in one part of the State, to have the same weight as 57,000 in another, we noticed some time ago a hint thrown out in the "Constitutionalist" whether it might not be expedient to establish the *General Ticket plan* as in Georgia; the plan, would give the State more weight in Congress by securing the unanimity of her delegation, but there are many, very insuperable objections to it on other grounds,—it will bring after it the Caucus System—one of the greatest curses that can be introduced into a free Country. This mode of election has prevailed for years in Georgia and it is generally believed there, that it will be changed for the District plan, so soon as her new Territory is filled up. We think however that it is not always necessary to lay a District off for each member, where the Counties cannot be so grouped as to make the District of a convenient form and a proper number why not do as in some other states—lay such Districts out to elect two members; that is some Districts for one, and some for two as the case may require.

It is now 20 years, since the present districts were laid, and having been laid off in party times, some of them are very inconvenient in form which presents another reason why a change should be made. If no change be now made, the districts will in all probability exist as they are until 1842, which will make their continuance for 30 years, entirely too long a period, when reference is had to the nature of our Institutions.

### CONVENTION OF S. CAROLINA.

The Convention of South Carolina, before adjourning proposed two addresses; one to the people of South Carolina and the other to the people of the Co-States.

The address to the people of that State, is written with great ability, and breathes a spirit of devotedness to liberty which strongly reminds us of the eloquent state papers that emanated from the old Congress of 1776. It explains the principles of our Government with great perspicuity, showing that it is a Confederacy and not a Consolidated Government. The address to the people of the Co-States we have not yet met with; We propose to give both of these documents to our readers, & we will next week commence their publication.

The *seceders*, from the Georgia Convention in an exposition which they have published, make use of this language. "The *Seceding Delegates* "*express but one sentiment concerning the Tariff—* "*that it is unwise, unjust and unconstitutional*" They then go on to say that they are for a *Southern Convention* as the best means to get rid of the evil.

## Hymeneal.

MARRIED, in Raleigh, on the 22nd ult. by the Rev. Mr. UTLEY, MR. T F. LOWRY of Greensboro' N. C. to Miss FRANCIS SUGG of the former place.

On Thursday 22d ult. by D. McDonald Esq. in Moore county, Capt Malcom McFarland to Miss Catharine Black, daughter of Col. Neill Black all of Moore County.

### DIED,

In this county on Thursday the 29th of November aged 63 years Mrs. *Starke* widowed consort of the Rev. Charles Gottlob Starke. This aged disciple of Jesus although appointed to endure vicissitudes almost unprecedented "possessed her soul in patience" until as the morning star she faded away into the light of heaven —even the glorious seat of Jehovah's residence. Her neighbors and relations by this event have been deprived of one whose life was a bright pattern of christian heroism and excellence.

*Communicated.*

## MARKETS.

SALISBURY Dec 8, 1832.

| | |
|---|---|
| Bacon | 8 to 10 |
| Beef | 2½ to 3½ |
| Cotton in seed | $3. 1 |
| Do. clean | 9,00 |
| Corn | 00 to 25 |
| Oats | 20 |
| Sugar | 10 to 12½ |
| Coffee | 18 to 20 |
| Salt | $1. 25 |
| Iron | 4 to 5 |
| Molasses | 50 |
| Beeswax | 16 to 18 |
| Tallow | 8 to 10 |
| Flour | $4,00 |
| Brandy | 40 |
| Whiskey | 25 a 30 |
| Nails | 9 to 10 |
| Loaf Sugar | 18 to 20 |
| Lead | 8 to 10 |
| Pork | $3 75 to 4 00 |
| Wheat | 55½ |
| South Carolina money discount | 4 to 5 |
| Georgia do. | 0 to 5 |

FAYETTEVILLE, Nov. 29.

| | |
|---|---|
| Brandy, Apple per gal. | 50 to 55 |
| Do Peach, | 55 a 60 |
| Bacon | 8½ a 9½ |
| Corn | 50 a 55 |
| Cotton, 100lbs | $10 25 a 10 50 |
| Flour | $4 50 a 5 00 |
| Salt | 75 |
| Iron | 4½ to 5½ |
| Sugar, brown | 8½ to 10 |
| Coffee | 15 to 17 |
| Molasses | 33 to 36 |
| Flaxseed | $1.62½ to 0,00 |
| Wheat | $1 00 to 00 |
| Whiskey | 00 to 33 |

NEW & CHEAP GOODS.

HUIE & CADE,

ARE NOW RECEIVING THEIR

Fall & Winter Goods, From New York & Philadelphia.

WE respectfully solicit our friends to call and examine before they buy, we give them our thankful acknowledgments for their Liberal patronage since we commenced Business, and shall feel grateful for a continuance of the same.

*Salisbury, Dec. 1st 1832.* 52tf

ATTENTION,

SALISBURY BLUES.

YOU are hereby commanded to appear at the Court-House in Salisbury, on the 8th day of January next, equipped, as the law directs.

By Order of the Captain,

GEO. M. MURR,

Orderly Sergeant.

*December 3, 1832.* 6t53

FIFTY NEGROES WANTED.

THE Subscriber wishes to purchase FIFTY NEGROES, consisting of MEN, WOMEN, BOYS & GIRLS, aged from 14 to 25 years, to furnish a plantation in the State of Louisiana, for which the CASH will be paid. Persons having such property, would do well to apply immediately at my residence, Salisbury, N. C., either personally, or by letter, addressed to me, which shall be punctually attended to. RICHARD W. LONG.

N. B. I also wish to purchase a Carpenter, a Brick-layer and a likely Negro Fellow, acquainted with the process of burning brick.

R W. L.

*December, 8th 1832.* 53tf

FEMALE SEMINARY.

IN

STATESVILLE.

THE exercises of the female Seminary in Statesville, will be suspended until the first Monday in January. Terms as heretofore, i e. $10 per session of five months.

Instruction on the Piano Forte, by Miss E. J. Baker, $20.

Some difficulty has always been found in procuring boarding for so large a number of young ladies as attend this school, consequently, it would be highly gratifying to the teacher's if some gentleman of strict morality, would open a private boarding house for their accommodation. It is probable a commodious house could be obtained for that purpose, this fall. M. A. CALDWELL.

3t55 E. J. BAKER.

*Statesville, Nov. 14th, 1832.*

For sale,

Lands On The North Side Of The YADKIN RIVER.

IN pursuance of a deed of Trust, to me executed by James I. Long, and for the purposes therein mentioned, I will expose to public sale, at the Court house in Salisbury, on the 1st day of January next, if not previously disposed of at private sale; Two Tracts or parcels of Land, situated, lying and being in the County of Rowan, on the North side of the Yadkin River, on the road leading by James I Long's Ferry. One of which tracts contains 900 acres, the other tract containing 172 acres, known by the name of Blades Tract.

The large tract will be divided to suit purchasers.—Terms will be made known on application, or on the day of sale. 3t55

PHILIP L. SINK, *Trustee.*

*Dec 5th 1832.*

JAMES I. LONG'S PLANTATION & FERRY ON The YADKIN RIVER FOR SALE.

IN pursuance of a Deed of Trust to me executed by James I. Long, bearing date the 10th Nov. 1832, and for the purposes therein mentioned, I shall expose to public sale at the court House in Salisbury on the 18th day of Dec. next, that valuable Plantation and ferry on the Yadkin River, whereon James I. Long now resides, containing about 1000 acres. The conditions will be made known on the day of sale.

PHILIP L. SINK, *Trustee.*

*Nov. 14th, 1832.* 2t54

NO MISTAKE.

THOSE indebted by note or account, must call and make SETTLEMENT on or before the 25th December next, after that time they will have to settle with my next friend, which to me, will be a disagreeable way of doing business;—but necessity compels me to this course. My former patrons will accept my sincere thanks for their liberality towards me in my profession. KIAH P. HARRIS.

*Concord, Dec. 1st.* 4t56

Notice.

ON the first day of January next, I will expose to public sale, at the Court House, in Salisbury, from twelve, to twenty likely negroes, on a credit of six months, I will hire for twelve months about fifty Negroes, all of which belong to the Estate of the late Stephen L. Ferrand dec'd.

ALSO,

will be rented for twelve months several valuable lots lying in the Town of Salisbury.

Notes with approved Security will be required. 3t55

R. MACNAMARA, *Adm'r.*

*Salisbury, Dec. 5th, 1832.*

To Journeymen Tailors.

I WILL give constant employment and good wages to two or three Journeymen Tailors, who can come well recommended.

THO. A. HAGUE.

*Concord, N. C. Dec. 6, 1832.* 3t52

NEW STORE

Opened in

MOCKSVILLE.

Murphy & Taylor

RESPECTFULLY announce to the public, that they have just received, and are now opening at Mocksville, in the Store opposite that of R. S. Hargrave, a large and entirely new stock of *Fashionable & Fancy Dry Goods; Glass, Crockery, and Hardware; Groceries; Fur and Wool Hats; Leghorn, Dunstable, and Navarino Bonnets; Books and Stationery*, together with every other article necessary to make a full and complete assortment; all of which having been bought for Cash, and selected by one of the firm, out of

*The Latest Importations to*

NEW-YORK AND PHILADELPHIA,

with constant regard to an assortment, adapted to the requirements of the people, they now offer to purchasers at the lowest prices, and upon the most accommodating terms

The variety and amount of their assortment, being large and extensive, they earnestly solicit those wishing to purchase goods of a new and excellent quality, to call, examine, both terms and prices, judge for themselves, and *Buy*, as their best interest may require.

*November, 1832.* 51tf

NEW FANCY SPRING & SUMMER GOODS.

HACKETT & LEMLY,

ARE now receiving and opening a general assortment of

SPRING & SUMMER GOODS,

selected with great care from the markets of New-York and Philadelphia of the latest importations. Their stock consists in part of

Superfine Blue and Black cloths
Do. Brown & Brown olive do.
Do. invisible Green do.
Fancy Cassimeres, Sattinetts & black bastings,
Merino do's. Broadcloths and circassians,
Brown do's. Mixed Ermiletts,
Yellow Nankeen and linen checks,
French and plaid Drillings,
Mexican mixture, Grass linen,
English ossinetts, German & Irish linens,
Linen Table and towel diaper, &c.

A GENERAL ASSORTMENT OF

Marseilles, and Valentia Vestings,

A GREAT VARIETY OF FANCY

Prints, Ginghams and Muslins,
Tickings, Bleached and Brown,
Sheetings and Shirtings,
Furniture dimity and Cotton fringes,
Black Italian Silk,
Scenchew & sarsinet do.
Blue black silk cambletts,
Chn. gros de Naples,
Milanese and do Romanis Cotton,
Pongee, flag and bandana Handkerchiefs,
Crimson Pongee do.
Fancy Gauze and Crape do.
Scarfs, silk cotton, and rich figured vestings,
Silk and cotton Hosiery,

A GREAT VARIETY of RICH

Fancy bonnet, belt and cap ribbons,
Silk aprons,
Linen cambric handkerchiefs, fans, &c.
Diamond Straw Bonnets,
Polish do. do.
Belgian do. do., Palm leaf hats,
Leghorn bonnets, for and boys' do.

A GREAT VARIETY OF

Latin and Greek School Books,
Shoes, Morocco skins,
Hardware and Cutlery,
Glass and Crockery-ware, &c. &c.

A GENERAL ASSORTMENT OF

Carpenter's Tools, consisting of every article made use of by Carpenters in this part of the Country,
Sadler's Trimmings,
Plated, Brass Jappan, and Prince's metting,
Harness mounting, coach fringe and lace,
A good assortment of Groceries, &c. &c.

ALL of which, they are determined to sell as low as goods can be had in this part of the country. Purchasers will do well to call and see our stock and hear prices before they buy.

H. & L. are grateful to the Public for their very liberal patronage heretofore, and hope by strict attention to business, and selling goods cheap, to merit a continuance of the same. 2tif

*Salisbury, April 28th 1832.*

NOTICE.

WILL be sold on Tuesday the 18th of December next, at the late residence of Washington Byers dec'd. the following property, to wit:

NINE HEAD OF HORSES,

TWO MULES,

HOGS, SHEEP, & COWS,

and about 16 hundred bushels of corn, 20 or 30 thousand weight of Cotton in the seed, Wheat, Oats, Hay, Fodder, &c. with all the farming utensils.

*Two Waggons and Gear,*
*One old GIG and HARNESS;*
*A Quantity of Leather, Upper & Sole.*
*One Set BLACKSMITH TOOLS,*

a good assortment of BOOKS, together, with all the House-Hold and Kitchen furniture.—At which time the NEGROES,

26 IN NUMBER,

consisting of *MEN, WOMEN & CHILDREN*, will either be hired for twelve months, or sold. The sale to continue from day to day until all is sold. The usual credit will be given, and due attendance by

3t56 ANN C. BYERS, *Administratrix.*

*Iredell County, N. C.*

NOTICE.

IREDELL COUNTY,

*August Term 1832.*

THE Subscriber, having obtained letters of administration, on the Estate of Washington Byers dec'd., requests all persons indebted to the same, to make payment, and all having claims against said Estate, to present them duly authenticated, and in the time prescribed by law. 40tf

ANN C. BYERS, *Administratrix.*

## POETRY.

Thomas Aird, as we perceive by the Metropolitan for October, continues to grace that periodical with his rich contributions. The same exuberance of fancy, and melodious flow of rhyme, continue to characterise every morceau from his pen. The autumnal fruits of his imagination, are sparkling with the dews of an exhaustless spring of thought. The following, dated Geneva, occurs among other effusions entitled, "*Scraps from the Diary of a Traveller.*"

Even here in this region of wonders, I find
How light-footed Fancy can leave Truth behind:
Or, at least, like Hippomenes, turn her astray,
By the golden illusions he flings in her way.

That scene, on whose glory last evening I gazed
Was it all then a vision,—a fairy land, raised
On the wreck of the Sunset?* that lengthened array
Of magnificent Alps, shining still with a light
More holy and pure than the radiance of day.
As if nearness to heaven had made them thus bright!
Then the dying, at last, of those splendors away
Peak after peak, till they left but a ray.
One roseate hue, that, too precious to fly,
O'er the Mighty of Mountains still glowingly hung,
Like the last sunny step of Astrea, when high
From the summit of Earth to Elysium she sprung!
And those infinite Alps, stretching out from the sight
Till they mingled with Heaven, now showing their light,
Stood lofty and lifeless and pale in the sky,
Like the ghosts of a giant Creston gone by!

* * * * * * *

But where are the mountains that round me at first
One dazzling horizon of miracles burst?
Those Alps beyond Alps, without end swelling on,
Like the waves of Eternity—where are they gone?
Clouds—clouds—they, alas! were but clouds after all;
The chain of *Mont Blanes* which my fancy flew o'er
With a wonder which nought on this earth can reveal,
Were but clouds of the Evening, and now are no more!
O Fancy, why is it there lurks in thy beams
More paid than delight, for the heart, where they fall?
*Without* thee, life loses its sunniest gleams.

* It is often very difficult to distinguish between Alps and clouds: and, on the evening when I first saw this magnificent scene, the clouds were so disposed along the whole horizon, as to deceive me into an idea of the stupendous extent of those mountains, which, on my viewing the scene again next morning, were of course somewhat painfully dissipated."

*From 'The Mind and other Poems,' by Charles Swain.*

Love?—I will tell thee what it is to love!
It is to build with human thoughts a shrine,
Where hope sits brooking like a beauteous dove;
Where Time seems young, and life a thing divine.
All tastes, all pleasures, all desires combine,
To consecrate this sanctuary of bliss,
Above—the stars in shroudless beauty shine;
Around—the streams their flowery margins kiss;
And *if* there's heaven on earth, that heaven is surely this;

Yes, this is Love the steadfast and the true,
The immortal glory which hath never set—
The best, the brightest boon the heart o'er knew,—
Of all life's sweets the very sweetest yet!
Oh! who but can recall the eve they met
To breathe, in some green walk, their first young vow
While summer flowers with moonlight dews were wet,
And winds sighed soft around the mountain's brow,—
And all was *rapture* then—which is but *memory* now!

Honor may wreath the victor's brow with bays,
And Glory pour her treasures at his feet—
The Statesman win his country's highest praise—
Fortune and Commerce fill our cities meet;
But when—oh! where there are earth's possessions sweet,
Unblest with one fond friend those gifts to share?
The lowest peasant in his calm retreat,
Finds more of happiness, and less of care,
Than hearts unwarmed by LOVE 'midst palace halls must bear.

## VARIETY.

From the N. Y. Constellation.

### A HUNGRY JURY,

Or, the Doubtful case of David Dubious.

"*Rogues must hang, that Jurymen may dine*".—POPE.

The public have doubtless heard of the fate of poor David Dubious, whose case was decided by a hungry jury. But it may not be uninteresting to some of our readers to state a few of the particular circumstances attending that decision.

It was a case of life and death; but one doubtful and difficult to be decided. The evidence was entirely circumstantial, and in many respects contradictory. The prisoner, David Dubious, unfortunately bore a very doubtful, if not a very bad character; and many people did not hesitate to say, that if he did not commit murder he was none too good to do it. But what made his condition still more unfortunate was, the condition of the stomachs of the jury. They had been kept out all night, they had eaten neither supper nor breakfast; and it was now near the hour of dining.

Consider then the perilous condition of the poor prisoner, his life depending on such untoward circumstances—presumptive evidence, a doubtful character, a hungry jury! He might have got over the two first; but wo to him whose life depends on the last. A comfortably filled stomach is one of the best guarantees for acts of justice, kindness and charity. Trust a hungry jury, with one's life!—Never. Hunger renders a man savage; and he who has a stomach to let, has seldom any bowels of compassion.

In the case of David Dubious, seven of the jury were for hanging, and five for acquittal. Thus they had continued for some time without any prospect of ever thinking alike. Both sides were conscientious; both felt bound in honesty and by their oath, to adhere to what they conceived to be the true state of the case. Said those in favor of hanging—

"The man is very evidently guilty, and we could answer neither to God nor our country, should we consent to his acquittal."

Whilst those on the other side said—"We have serious doubts of his guilt; the evidence is entirely circumstantial and exceedingly contradictory; and we could not answer it either to God or our consciences, to take the poor fellow's life."

"Gentlemen," said the constable, "for the fifteenth time, have you agreed upon your verdict?".

"No," said the foreman, "and what is worse, we are not likely to agree—wherefore we beg once more that you will conduct us into court."

"There's no use in it," said the of the tall staff—"the Judge will send you back."

"At all events," said one of the Jury, "let us have something to eat, and not keep us shut up here starving."

"The more you starve, the sooner you will be likely to agree," returned the constable. "Besides, you know, it is strictly against the law to allow you any thing to eat, until your verdict is made up."

The Jury again took up the subject, and endeavored with all their might to agree; but with no better result than before. The case was a stubborn one; and would not yield to the unanimous desire for agreement.

The Jury were at length permitted to return into Court; where, on stating to the Judge, that it was utterly impossible for them to make up a verdict, his Honor gave them a very severe reprimand for their inability to think alike, and peremptorily sent them out again—declaring, with an awful shake of his wig, that they should neither eat nor drink until the case of the prisoner was decided.

"Alas!" said one, "we must either agree on a verdict, or agree to starve."

"The latter we can never agree to, said another—"self-preservation is the first law of nature. What time of day is it neighbor?"

"It wants half an hour to dinner time."

"Only half an hour! We have but little time to spare. We must agree before dinner time by some means or other. It is almost 24 hours since we have eaten a morsel; and to miss another meal would be absolute suicide.

"Heigh ho! that's a fact," said another, "and suicide is an unpardonable sin. If a man commits murder he may have time to repent; but if he commits suicide, he must go to the devil at once, without benefit of clergy."

Those who are in favor of hanging are usually more fixed in their opinions than those on the other side; thus exactly reversing the only charitable maxim of criminal jurisprudence, viz. that "it is better twenty guilty persons should escape, than that one innocent one should suffer." This was most unfortunately true in the case of poor David Dubious.

"It would be a thousand pities," said one of his friends, "to hang an innocent man."

"That is very true," replied one of the opposite side; "but then you know it is better that twenty innocent persons should be hung than one guilty one should escape—so the *maxum* says."

"Why as to the maxum," said Jonathan Standout, "there may be something in that. But still I have been hitherto in favor of the acquittal of poor David, because I had my doubts about his being guilty. Howsomever, all manner of doubts must yield to circumstances. So far as I can see, the evidence is by no means clear as to the fellow's guilt. But then, on the other hand, who is he, that twelve respectable men should starve to save his life?—A fellow at best of doubtful reputation—a man, who if he is not guilty of this, or some other murder, may very well be spared from the world."

"There is much truth in what you say," said Ichabod Avery; "but then consider! how shall we answer to God and our consciences for the verdict?"

True," said Joseph Judgement, "there's the rub. I acknowledge the prisoner to be of little or no value to the community, and as likely to be guilty of murder as the best of us. But then we are bound to decide according to evidence."

"And what," said Obadiah Lankley, "is to become of our stomachs in the mean time. I'm as conscientious as any other man, I dont care who he is—and I think I've proved it pretty well too, in standing out as long as I have! But all things must yield to circumstances, as neighbor Standout says—and self-preservation is the first law of nature, as another gentleman observed, wherefore, for one I'm for having some dinner."

"And I too," said Christopher Comeabout: "I pity the poor devil of a prisoner, and as you all know, have fought hard for his acquittal, But to go the whole length of starving on his account, I could'nt think of it."

"But I have no mercy, no bowels of compassion?" said Ichabod Avery.

"Bowels of compassion!" exclaimed Obadiah Lankley, pressing his hands sadly upon the gastric region—"how can a man have bowels of compassion when there is'nt a morsel of any thing in his stomach? The idea is preposterous."

"You are exactly of my mind," said Jonathan Standout. "Charity begins at home—and it is our abundant duty to take care of ourselves. whatever may become of other people. For my part, the evidence of David's guilt begins to look to me much more clear than it did a short time ago. At any rate considering all things, I think we cant do better than to hang him."

"I can't agree with you there," said Joseph Judgement; "I must still adhere to the poor fellow though I'm starving, I can't get over my oath, my conscience, and all that."

"Your conscience!" exclaimed Christopher Comeabout; "what sort of a conscience is that which prefers the life of a poor devil of doubtful reputation, to the comforts of a good dinner which no one among us is disposed to doubt. As to the prisoner, I'd stick to him till all was blue, if I was'nt so infernally hungry. But I am not bound to commit murder on my own stomach. Wherefore, gentlemen, much as I reget the taking of any innocent man's life, I must in this case agree to a verdict of guilty."

"Well, well" said Joseph Judgement, looking at his watch—"it's a hard case—a monstrous hard case. It wants but a quarter of an hour of dinner time—and our landlord informed me, he should cook those fine canvassbacks. The prisoner, as far as I can understand the evidence, is as likely to be innocent as guilty. I dont know what to think, indeed. One thing is certain, however—I must have some dinner—I can't think of starving—my conscience won't let me. Gentlemen, I'll agree to any thing that's reasonable."

"I'm very glad, sir," said one of the original seven who were in favor of hanging—"I'm very glad, you have finally concluded to listen to reason. We are all agreed now except one, and I think he'll come in time to dine. What say you friend Avery! ay, or no?"

"Why, indeed, gentlemen, I don't know what to say. I see no satisfactory proof of the man's being guilty. It's a hard case, a confounded hard case. Our dinner must be nearly ready, and something ought to be determined upon soon. Really, gentlemen, I think you'd better agree to acquit him."

"Oh, we cant do that possible," said another of the original seven. "A majority of us have been in favor of hanging from the first; and now all the others have come over except you—eleven against one."

"It wants but ten minutes of the dinner hour," said Obadiah Lankley.

"Only ten minutes exclaimed Ichabod, "I've done gentlemen, I've done. Oh my stomach, let the man be hung."

"We are all agreed then," said the foreman. And a verdict of GUILTY was returned *in time for Dinner!*

*Country without Rain.*—In the part of Peru called Vallies, which lies on the north and south side of Lima, in south latitude 12°, bounded on the east by the Andes, and on the west by the Pacific Ocean, it never rains at all. But during winter the earth is covered with so thick a fog as to intercept the rays of the sun. This fog appears almost every day during winter with a density that obscures objects at any distance. About ten or eleven o'clock it begins to rise, but without being totally dispersed, though it is then no impediment to the sight, intercepting only the direct rays of the sun by day and the stars by night. Sometimes it is so far dispersed, that the disc of the sun becomes visible, but the heat from his rays is still precluded. In the winter season these vapors dissolve into a very small mist of dew, which they call garua, and thus every where moisten the earth. These garuas never fall in any quantities sufficient to damage the roads or incommode the traveller; but they render arid and barren parts fertile. They convert the disagreeable dust in the streets of Lima into mud. Now, in that country the wind always blows from the south, that is, from a colder to a warmer region. Sometimes it veers a point or two to the east. But it always blows between the south and south-east. When the fogs come on, the south wind is barely felt, and a scarcely perceptible air seems to come from the north, which forms the fog. The obvious reason why it never rains in that country is, that the wind constantly blows from a colder to a hotter part of the world. We see also the cause of the fogs; they are occasioned by the mixture of the hot air from the north with the colder air from the south.

EVENING.

When Eve is purpling cliff and cave,
Thoughts of the heart, how soft ye flow!
Not softer on the western wave
The golden lines at sunset flow.
Then all, by chance or fate removed,
Like spirits crowd upon the eye:
The few we liked,—the one we loved!
And the whole heart is memory.

CROLY.


*FRESH & FASHIONABLE*

**FALL & WINTER GOODS.**

*Now receiving and opening, at the Store of*

**JOHN MURPHY,**

IN SALISBURY,

**A Large & Extensive Assortment**

*Both in Variety and Amount, of Fresh and Fashionable Fall & Winter*

**GOODS**

Selected with the utmost care, and bought entirely for cash, in

**New York and Philadelphia,**

*From the Latest Styles of* **1832.**

His customers and the public are most earnestly requested to call, see, hear & judge, each and every one for himself.

The extensive assortment and low rate of his prices, must most certainly induce the public to believe that goods cannot be sold lower in this section of country.

J. M. hopes by close and steady attention to business, and a free and willing mind to render to all who may favor him with their calls, such accommodations as shall merit their continuance.

N. B. All persons indebted to me are requested to make payment by the first day of January next or give their notes with security if required. JOHN MURPHY.

*November*, 1832. 8t58

**Notice.**

I WILL sell on the 13th of December next at the late residence of James Moore, dec'd. in the lower end of Iredell county the following property, viz: 2 Waggon's one of them new, one neat family Carriage and Harness. *Horses, Hogs, Cattle, Sheep, Goats, Corn, Wheat, Oats, Rye, Hay, Fodder, Cotton, Household and kitchen furniture, 1 still and vessels, farming utensils, &c.* and many other things usually sold by administrators. On that day, also, One negro man 1 woman and 3 children will be hired out, the lands rented, &c.

The usual credit given, bond and security required.

RUFUS REID. *Adm'r.*

*Nov. 20th* 1832. 2t53

**WANTED**

**2 Negro Boys and Girls from 15 to 20 years old, of a good character for which fair prices will be given by**

**H FORSYTH.**

*Fifth Creek Iredell co. N. C.* 2w


**State of North-Carolina.**

LINCOLN COUNTY.

COURT OF PLEAS & QUARTER SESSIONS } *October Session* 1832.

JACOB PARKER *vs* HAMBLIN V. SNELL Original Attachment levied on personal property. It appearing to the satisfaction of the court, that Hamblin V. Snell, the defendant is not an inhabitant of this State. It is therefore ordered by the Court that he appear at the next County court of Pleas & Quarter Sessions, to be held for Lincoln county, at the court house in Lincolnton, on the third Monday in January next, replevy and plead to issue or judgment by default, will be entered up against him, ordered that publication hereof be made six weeks successively in the Western Carolinian.

Witness VARDY M'BEE C. C.


*STILLS AND TIN WARE.*

THE subscriber continues the manufacture of *STILLS & TIN WARE*, warranted to be made of the best materials, and in a superior style of workmanship. Having a large stock of Stills and Tin ware on hand, and being determined to sell at reduced prices, merchants and others would do well to call on him and get their supply.

☞ Old Copper, Pewter, Feathers, Tallow Beeswax and Wool taken in exchange.

WANTED, two first rate journeymen Tin plate workmen, of steady habits, that are accustomed to work on machinery, to whom constant employment and liberal wages will be given. DANIEL H. CRESS.

*Sept. 7th.* 1832 6m0f

**JOB PRINTING**

*EXECUTED WITH NEATNESS And DISPATCH,*

AT THIS OFFICE.

*TRUST SALE.*

IN PURSUANCE of a Deed of Trust, to me executed, by James I. Long, bearing date the 14th of November, 1832, and for the purposes therein mentioned, I will expose to

**PUBLIC SALE**

at his residence, on Tuesday, the 18th day of December next, the following property, to wit:

*FOUR NEGRO MEN,*
**One Negro Woman,**
*Between 2 & 3000 Bushels*
**CORN,**
*15 or 20,000 lbs. Seed Cotton*
*Hay, Fodder, Wheat & Rye Straw, Cattle, Eight Head of Horses, Five Mules, Thirty-seven Fattening Hogs, Sixty Stock Hogs, Sheep, Goats, Two Waggons and Gears, One Gig and Harness, One Set Blacksmith Tools, one Still, One Cotton Gin, Household and Kitchen Furniture,*

and a great variety of other articles. Terms made known on the day of sale. M. BROWN, *Trustee.*

*Nov.* 23, 1822. 4:54

*BENJAMIN FRALEY*

**TAILOR,**

HAVING removed to the house formerly occupied by Samuel Fraley, as a confectionary shop; a few doors above Mr. Slaughter's Tavern, where he is prepared to accommodate all those who may favor him with their patronage. He has just received from New-York and Philadelphia, the latest fashions, as imported from Paris, and London, and having a good number of first rate workmen, in his employ, he will do work on the shortest notice—cut and made in a superior style to any in this part of the country, and warranted to fit well. All kinds of cutting will be done on the shortest notice. All orders for work, from a distance, will be promptly attended to.

Being an Agent for the patent-right cutting for Saguze, or Wilson, of New York, and also for A Ward, of Philadelphia, he will instruct any Tailor, that may want instruction in cutting clothing.

He returns his sincere thanks to his friends and the public generally, for the liberal patronage bestowed upon him, and hopes to merit it further, by a strict attention to business.

50tf B. F.

*NOTICE.*

THE subscriber having qualified as Executor of the Estate of John Stewart, dec'd., requests all persons indebted to the Estate to come forward and make payment without delay, and the creditors are required to present their claims duly authenticated, within the time prescribed by law, or this notice will be plead in bar of their recovery.

GEORGE L. SMITH, *Ex'r.*

*Nov. 22nd*, 1832. 4t54

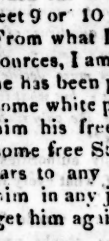
*NOTICE.*

THE undersigned having qualified as Executor of the Estate of Benjamin March dec'd.. requests all persons to whom the same are indebted, to present their claims properly authenticated within the time prescribed by law; otherwise this notice will be plead in bar of recovery.—Those indebted are requested to make early settlement.

JOHN CLEMENT, *Ex'r.*

*Nov.* 21st 1832. 51tf.

*Runaway*



FROM the subscriber on the night of the 31st October; my negro man TOM, about 22 or 25 years old, black complected, had on a blue cloth coat & pantaloons, black fur hat, (fashionable) about 5 feet 9 or 10 inches high, stout built. From what I can learn from different sources, I am induced to believe, that he has been persuaded to leave me by some white person, who has promised him his freedom on their reaching some free State. I will pay ten dollars to any person who will confine him in any jail in the state, so that I get him again.

SENECA TURNER.

*Cabarrus Co. N. C.* 51tf

*NEW BINDERY.*

WITH a view to the more efficient prosecution of their business, the Subscribers have established a

**BOOK-BINDERY.**

Having procured the best Materials from the North, and employed a Workman who comes well recommended, they are prepared to execute on moderate terms, all orders in this line.

Account Books, Records, &c. ruled and made to order: and every kind of Binding promptly executed in the best and neatest manner, on reasonable terms.

36tf J. GALES & SON.

*Raleigh, Aug.* 2, 1822.

*NOTICE.*

THE undersigned having received letters of administration on the estate of Godfrey Clement dec'd., requests all persons having claims against the same, to present them within the time prescribed by law; otherwise this notice, will be plead in bar of recovery. Those indebted will please settle the same as early as possible.

JOHN CLEMENT, *Admr.*

*Nov.* 21st, 1832. 9tf

**PROPOSALS**

*Of a new Literary Periodical,*

To be published every week, in Washington City, D. C., under the title of

*THE METROPOLITAN.*

*A Gazette of Literature, Music, Science, and the Fine Arts.*

WE have frequently heard it mentioned, as a matter of surprise, that the metropolis of the United States—nay, the whole District of Columbia—should not be able to boast of a paper decidedly literary in its character. We fear that our worthy co citizens, in other parts of the Union, will think our atmosphere so thoroughly, (we were about to say so purely!) political, that Literature cannot breathe it; and that Science and the Fine Aarts must wither beneath its ungenial influence? We propose, however, with the co operation of our fellow citizens, to convince the good people of the United States that such is not the fact; that the literary taste of the ten miles square is not confined to Congressional reports, and State documents; that there is not only a great consumption of the Belles Letters here, brought from every part of the Union, but that we can produce a literary paper of our own. To effect this object we ask for the *Metropolitan* the patronage of all lovers of literature from Maine (including therein Madawaska) to Georgia; but more particularly we solicit that of the denizens of the District and our metropolitan friends. The *Metropolitan* will be exclusively literary and scientific. Politics will not be meddled with in its columns; at any rate till the arrival of that intellectual millenium when Presidents shall compose their messages, and members of Congress their speeches, in rhymes, and heroics. Our plan will comprehend the wide and varied range of a literary miscellany. Original and selected tales of fiction and truth; of feeling or fancy; of sentiment or humour; will form a prominent feature. The tradition, or verified stories of the 'olden times," and of our progenitors; will be particularly selected for our purposes.—Essays, both grave and gay; biographical sketches of authors and heroes interesting anecdotes, &c. &c. will enter into the composition of our work. Another important feature will be impartial reviews and notices of new books, both literary and scientific, as they come from the press. To the poetical department particular attention will be given; and we flatter ourselves, by the favor of some poetic brethren and sisters, on whose aid we can rely, and whose talents are not unknown to fame, to be able to offer our readers, someting more than mere "tintinabulum of rhyme." Heaven forbid, that we should be guilty of bossting.

In addition to the literary claims of the *Metropolitan* every number will contain one page of Music; original, or selected;-an item we trust which will find us favor in the eyes of the accomplished fair; and although we may occasionally in our grave moods, deliver a tirade against all fashion, it is proposed, nevertheless, now and then, to gratify the eyes of our fair readers with graphic delineations of the newest fashion.

Still further; to impart an interest to our pages, they will be frequently highly embellished with wood engravings of interesting and appropriate subjects.

The *Metropolitan* will be published every Saturday, in a quarto form. It will be printed on fine paper, and with every attention to its typographical execution. Terms of subscriptions, $3, per annum, if paid in advance; or $4 if not paid till the end of the year.

All letters relative to the work, must be post paid, to secure attention. The first number will appear on or before the first of December.

DUFF GREEN.

PREMIUMS.

To elicit the exertions of literary aspirants, the publisher offers the following premiums:

For the best written tale, on a subject connected with American history,

FIFTY DOLLARS.

For the best written Poem, on a subject of a similar character.

TWENTY DOLLARS.

Articles offered for the premiums must be sent free of postage; and will be received upon the first of January next; when the prizes will be awarded by a committee of literary gentlemen whose names will be published previous to that time. *Editor Metropolitan.*

To editors who will copy this notice the favor will at any time be reciprocated Ed. Met.

*CHARLESTON and CHERAW.*

THE STEAM BOAT MACON

CAPT. J. C. GRAHAM having been engaged last summer in running between Charleston and Cheraw calling at Geo. Town on her way up and down, will resume her Trips in the course of a few days and is intended to be continued in the trade the ensuing season.

Her exceeding light draft of Water drawing when loaded only about four and a half feet water will enable her to reach Cheraw at all times except, an uncommon low tide, when her cargo will be lightened at the Expence of Boat.

J. B. CLOGH.

*Charleston Sept.* 26, 1831.

N. B. She has comfortable accomodations for a few passengers. 92tf J. B. C.

*BLANK DEEDS,*

OF every description, neatly Printed, and kept constantly for sale at this office.